



**TOWN OF NEWTOWN
ZONING BOARD OF APPEALS**

MINUTES

Wednesday, June 2, 2021 – 7:30 PM

Zoom Virtual Meeting Participation Information

Wednesday, June 2, 2021 – 7:30 PM

Call-In Number: +1 929-205-6099

Meeting ID: 954 8297 0632

Website: <https://zoom.us/j/95482970632>

Present: Alan Clavette, Ross Carley, Perna Rao, Rachel Rowan, Barbara O'Connor, Joseph Bojnowski
Absent: Jane Sharpe, Christina Paradis
Also Present: Dawn Fried, Clerk

Mr. Clavette called the meeting to order at 7:32 p.m.

Public Hearings

ZBA Application #21-04 by Edward & Heather Saunders, for a property located at 5 Watch Hill Road, for a Variance of the Zoning Regulations of the Town of Newtown §7.02.100, Chart VII-1, so as to allow the construction of a pool closer to the property line than the setback allows, as shown on a set of plans titled “Zoning Location Survey, Prepared for Edward E. Saunders & Heather Saunders, 5 Watch Hill Road, Newtown, CT”, dated 4/20/21, and supporting documents submitted to the Land Use Agency 5/10/21.

Applicants Edward and Heather Saunders of 5 Watch Hill Road explained the property layout and their hardship. Mr. Saunders stated that the septic and main water line are in the front yard and the only option for the pool is in the back. Mr. Saunders stated there is a line of privacy trees separating his property from the neighbors but he would also add additional screening if necessary. Mr. Saunders described the pool as being 15'x 34' x 4'. The attached waterfall is 7'x 4'x 4'. The waterfall is made out of natural stone and is 14 ft. off the property line.

Ms. Rao asked whether the pool can be shifted to the left. Mr. Saunders stated there would still be limited access to the basement. Ms. Rao asked whether other configurations were considered. Mr. Saunders stated they chose the kidney bean shape because they wanted a calming place to be rather than recreational.

Ms. O'Connor noticed the mailing notices and abutter letters were not part of the record. Mr. Saunders stated he sent out the notices to the abutters but did not submit the paperwork to the Land Use Agency. The vote will be contingent on receiving the documents.

Ms. Rao asked whether the waterfall can be moved. The waterfall is 4' wide, which shortens the distance to the property line to 14'. Ms. Saunders explained the waterfall will face the house and will provide more privacy.

Ms. O'Connor stated that she can't imagine this pool being a problem. She stated the neighbors are pretty far set back and the pool will not bother them.

Ms. Rao still had concerns with the waterfall structure being only 14' from the property line.

Mr. Clavette stated the pool would blend in with the neighborhood.

The Commission agreed there isn't much room on the property to reconfigure the pool or shift the pool's location. The pool is not overly large.

Mr. Carley stated the neighbors are tucked back with trees for privacy.

Mr. Clavette declared the hearing closed at 7:27 p.m.

Discussion and Action

It was decided that Ms. Rowan would vote in place of Ms. Sharpe for this application.

Ms. O'Connor moved to approve Application #21-04 stating that the backyard is the only location for the pool because the side yard setbacks do not leave enough room to access the basement doors. The approval is contingent upon the applicant sending in documentation of the mailings and abutter notices. Mr. Carley seconded. The Board voted as follows:

Alan Clavette - AYE

Ross Carley - AYE

Rachel Rowan - AYE

Barbara O'Connor - AYE

Prerna Rao - AYE

The motion to approve Application 21-0 carried 5-0.

Minutes

Mr. Clavette wanted to include additional testimony by Steve McMahon, page 4 of the April 7, 2021 minutes. "Mr. McMahon stated that he warned the owner and the construction workers that the foundation footings appeared to be closer than the old foundation before the foundation was poured".

Ms. O'Connor moved to approve the amended minutes from the meeting of April 7, 2021.

Mr. Bojnowski seconded. All were in favor and the amended minutes from the meeting of April 7, 2021 were approved.

Adjournment

Mr. Carley moved to adjourn the meeting. Ms. O'Connor seconded. All were in favor and the meeting was adjourned at 8:13 p.m.

*Respectfully submitted,
Dawn Fried, clerk*

For a recording of this meeting, please copy and paste the following URL into your browser:
<https://drive.google.com/file/d/1VXWfMSgZ69s6yFZrUHveEnhm6q4a8fQg/view?usp=sharing>